

REMARKS

Reconsideration and allowance are respectfully requested.

Rejection of Claim 5 Under 35 U.S.C. §102(e)

The Office Action rejects claim 5 under 35 U.S.C. §102(e) as being anticipated by Muranaga (U.S. Pat. No. 6,944,464) ("Muranaga"). Applicant respectfully traverses this rejection.

In the Final Office Action the Examiner disagrees with Applicant's argument that Muranaga fails to teach each limitation of claim 5. Applicant argues that Muranaga fails to return "at least one probable target language from the plurality prioritized probable target languages for transmission to the wireless device through a wireless network" as recited in claim 5. The Final Office Action states that the Examiner respectfully disagrees and comments that "in specification paragraph [0012] described the location base is a service of translating a source language to a target language" [sic]. After citing the specification paragraph [0012], the Office Action concludes that Figure 1 element 32 and Figure 4 steps T1 – T7 teach this limitation.

Applicant first strongly traverses the citation to the specification paragraph [0012] and what it describes rather than citing the language of claim 5. Discussions in the specification should not incorporate limitations into the claims. Accordingly, Applicant challenges the Office Action's analysis as entirely inappropriate by discussing limitations from paragraph [0012] rather than the specific limitations recited in claim 5. The limitation that is incorporated is the translation of a source language to a target language. In contrast, no language translation is recited in claim 5. Furthermore, Figure 4 steps T1 – T7 do not teach the limitations of claim 5. Column 7, lines 41-59 describe what is taught by Muranaga in Figure 4. The context is where a person is in a foreign country and has an emergency. For example, if a person is in France and has an emergency, if the arrival of a policeman at the point of the emergency occurs then the user

from the United States, the person may not be able to communicate with the French policeman. The solution taught by Muranaga is that the user inputs a message into the display of operating unit display 15 of the mobile terminal shown in Figure 2. At this stage the mobile terminal sends the original message with a designation of the language to the translation server be it the base station 32, the public network 33 and the access server steps T1, T2 and T3. The translation server then translates the original message to a message written in the designated language and sends the translated message back to the mobile terminal. Applicant respectfully submits that clearly differs from the invention of claim 5. In claim 5, the language and location database module stores a plurality of prioritized probable target languages according to a geographic area. The processor is coupled to the language and location database and uses the location of the wireless device. The module returns at least one probable target language from the plurality of prioritized probable target languages for transmission to the wireless device through a wireless network. Applicant notes that no translation is recited in claim 5. The only thing cited in claim 5 is a probable target language which is provided from the language and location database module to the wireless device. However, translation of a language is not recited as a limitation in claim 5. Accordingly, steps T1 – T7 in Figure 4 of Muranaga do not teach the same invention recited in claim 5. The only way the Office Action has connected Muranaga to claim 5 is through the inappropriate citation of paragraph [0012] from the specification. Accordingly, Applicant respectfully submits that claim 5 is patentable and in condition for allowance.

Rejection of Claims 2-4, 6-7, 9-19 and 23-25 Under 35 U.S.C. §103(a)

The Office Action also rejects claims 2-4, 6-7, 9-19 and 23-25 under 35 U.S.C. §103(a) as being unpatentable over Muranaga (USP 6,944,464) in view of Kitahara et al. (U.S. Pat. 2002/0046035) (“Kitahara et al.”). Applicant respectfully traverses this rejection. In the Final

Office Action, the Examiner disagrees with Applicant's analysis and argues that Figure 5 and Figure 18 of Kitahara et al. teach that the user of the mobile terminal 1 has a display 101 with a plurality of language options and the user can select the automatic interpretation services by pressing the up/down button as a single input step S104 and paragraphs [0037] - [0039] in the description.

Applicant respectfully traverses this analysis and submits that Kitahara et al. fail to disclose or suggest that a user be able, from a status of the device being able to generally choose applications on the wireless device, select translation services via a single input to the device and wherein the target language is preselected as recited in claim 2. As noted in our previous response, Figure 5 requires the user to provide numerous inputs to get the selected language for translation. While viewing a table of languages to choose from for translation the user must "press [] the prescribed buttons to which the function shifting the curser is assigned to selected" the chosen language. Kitahara et al. also disclose other buttons which must be pressed such as vertical shift buttons before a user is enabled to choose a second language for translation.

Clearly in each case, the user must provide multiple inputs before the desired language for translation can be selected. For example, Figure 18 discloses that step S103 requires that the gateway server display a menu of the service on the display of the terminal. This may be illustrated for example in Figure 4 wherein the display shows a menu with options to choose, such as weather forecast, horoscope, automatic interpretation and stock quotations. This may be comparable to the status recited in claim 2 wherein the user is generally able to choose applications on the wireless device. In step S103 and in Figure 4 of Kitahara et al., a user is able from the menu to choose applications on the wireless device. Further in Figure 18, step S104, the user selects the automatic interpretation service by pressing the up/down button and selects it by pressing the decision button. Accordingly, in Figure 4 the user would have to select the third

option (automatic interpretation) which represents one input into the wireless device. In that case, step S105 requires the language classification display means is motivated and displays the language classification on display 101. This is shown in Figure 5 in which four different translations are displayed - Japanese to Korean, Japanese to English, Japanese to Chinese and Japanese to French. None of these is "preselected". It is clear that none of these is preselected because in step S106 of Figure 18 the user must select the language classification by pressing the up or down button and choosing a language for translation by pressing the decision button. Accordingly, Kitahara et al. teach multiple user inputs that are required to get from a status of being able to generally choose application on the wireless device to translation services wherein the target translation language is preselected. Once the user selects, in Kitahara et al., the automatic interpretation with one input, the user must engage in at least one additional and more likely two or three additional inputs where the up or down button must be pressed and the decision button must be pressed before the desired translation language is selected. Even the broadest reasonable interpretation of claim 2 still requires that the target translation language be preselected. Thus, Applicant challenges the Final Office Action's analysis in which the broadest reasonable interpretations available the previous rejection of claim 2 should be sustained.

Applicant respectfully submits that the Examiner cannot interpret the term preselected as so broadly such that the target language is not preselected. Accordingly, Applicant respectfully submits that claims 2, 3, 7, 10, 15-17, 19 and 23 are patentable and in condition for allowance.

Other reasons further exist which show that the claimed limitations are not taught by the combination of references. For example, with reference to claim 7, this claim recites a method of providing location based translation services in which the wireless device translates source speech into the most probable target language without further user language selection action. The opposite is taught in Kitahara et al. as discussed above, wherein in step S106 of Figure 18

the user must select the language classification by pressing the up/down button and deciding by pressing the decision button which language the user selects. This is clearly different from the invention recited in claim 7 which requires no further user language selection action.

Accordingly, inasmuch as the rejected claims either recite a preselected target language or translating source speech into the most probable target language without further user language selection actions, Applicant respectfully submits that each limitation in these claims is not taught by the prior art or record and in fact the prior art of record teaches away from the claimed limitations by requiring further active user input. Applicant respectfully submits that this application is in condition for allowance.

CONCLUSION

Having addressed all rejections and objections, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. The Commissioner for Patents is authorized to charge or credit the **Isaacson, Irving, Stelacone & Prass, LLC, Account No. 50-2960** for any deficiency or overpayment.

Respectfully submitted,

Date: October 18, 2006

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